

State of California
Regional Water Quality Control Board
San Diego Region

REVISED
EXECUTIVE OFFICER SUMMARY REPORT
December 14, 2005

ITEMS: 12(a), 12(b), 12(c), 12(d), 12(e), 12(f) and 12(g)

SUBJECT: NPDES PERMIT REISSUANCES: STORMWATER
DISCHARGES FROM THE FOLLOWING SEVEN
BOAT REPAIR FACILITIES ADJACENT TO SAN
DIEGO BAY: (Tony Felix)

- a. Driscoll Custom Boats (tentative Order No. R9-2005-0147, NPDES Permit No. CA0109061);
- b. Driscoll's West (tentative Order No. R9-2005-0148, NPDES Permit No. CA0109070);
- c. Knight & Carver Yachtcenter (tentative Order No. R9-2005-0149, NPDES Permit No. CA0109088);
- d. Koehler Kraft (tentative Order No. R9-2005-0150, NPDES Permit No. CA0109096);
- e. Nielsen-Beaumont Marine (tentative Order No. R9-2005-0151, NPDES Permit No. CA0109100);
- f. Shelter Island Boatyard (tentative Order No. R9-2005-0152, NPDES Permit No. CA0109118); and,
- g. Southbay Boat Yard (tentative Order No. R9-2005-0153, NPDES Permit No. CA0109126).

PURPOSE: To adopt tentative Orders that update and renew the National Pollutant Discharge Elimination System (NPDES) Permits and Waste Discharge Requirements for the above listed seven boat repair facilities discharging storm water associated with industrial activities to San Diego Bay.

PUBLIC NOTICE: The NPDES permit hearing notice was published in the San Diego Union-Tribune on November 7, 2005 for the Regional Water Board meeting scheduled for December 14, 2005. Copies of the tentative Orders were mailed on November 7, 2005 to the dischargers and to all known interested parties and agencies. The tentative Orders were also posted on the Regional Water Board's website and copies were made available for public review at the Regional Water Board's office.

These actions served as the 30-day official public notification for this action, as required by Title 40, Section 124.10 of the Code of Federal Regulations.

DISCUSSION:

All seven of the boat repair facilities adjacent to San Diego Bay conduct various boat maintenance and repair activities. These industrial activities include but are not limited to hull cleaning, painting, sanding, engine repair, and general mechanical/fixture repair.

These industrial activities consist of material handling equipment, raw materials, by-products, and or waste products generate pollutants that could potentially discharge as industrial process water when exposed to storm water. Industrial process water is defined as any water, which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, by product, or waste product.

To reduce or eliminate storm water discharges of pollutants, the boat repair facilities are required to capture and divert the first flush (no less than runoff volume associated with 0.1 inch of rainfall) to the San Diego Metropolitan Sanitary Sewer System. A number of boatyards are capturing and diverting more than the minimum 0.1 inch of a rain event. Additionally, the sites are designed to prevent industrial process water and storm water discharges to San Diego Bay by implementation of grading and structural Best Management Practices (BMPs).

The tentative Orders have been updated with new standard language and a new permit format.

The Regional Water Board has received and responded to comments from Shelter Island Boatyard, the Department of the Navy - Southwest Region, Koehler Kraft, and the Environmental Health Coalition. A Response to Comments Document and Errata Sheet were mailed to the Dischargers and interested parties on December 9, 2005 and are included as supporting documents.

KEY ISSUES:

None.

LEGAL CONCERNS:

None.

SUPPORTING
DOCUMENTS:

1. Location Map
2. Copies of the Tentative Orders with Transmittal Letters dated November 7, 2005:
 - a. Driscoll Custom Boats, Order No. R9-2005-0147, NPDES Permit No. CA0109061;
 - b. Driscoll's West, Order No. R9-2005-0148, NPDES Permit No. CA0109070;
 - c. Knight & Carver Yachtcenter, Order No. R9-2005-0149, NPDES Permit No. CA0109088;
 - d. Koehler Kraft, Order No. R9-2005-0150, NPDES Permit No. CA0109096;
 - e. Nielsen-Beaumont Marine, Order No. R9-2005-0151, NPDES Permit No. CA0109100;
 - f. Shelter Island Boatyard, Order No. R9-2005-0152, NPDES Permit No. CA0109118; and,
 - g. Southbay Boat Yard, Order No. R9-2005-0153, NPDES Permit No. CA0109126.
3. Notice of Public Hearing
4. Comment Letter from Shelter Island Boatyard dated November 22, 2005
5. **Comment Letter from the Department of the Navy dated November 29, 2005**
6. **Comment Letter from Koehler Kraft dated December 1, 2005**
7. **Comment Letter from the Environmental Health Coalition dated November 28, 2005**
8. **Response to Comments Document**
9. **Errata Sheet**
10. **Transmittal Letter dated December 9, 2005**

COMPLIANCE
RECORDS:

Within the past five years only two of the seven boat repair facilities showed non-compliance with the permit requirements.

1. Driscoll Custom Boats:

On February 21, 2005, the acute toxicity test of the storm water discharge from the facility had a zero (0) percent survival. This discharge was in violation of the *Discharge Specification* of Order No. 2000-207, which requires that the acute toxicity shall not be less than seventy (70) percent survival as determined by a 96-hour bioassay.

On August 15, 2005, a Notice of Violation was issued to Driscoll Custom Boats to take corrective action to comply with the acute toxicity in the *Discharge Specification* of the Order.

2. Driscoll's West:

On January 12, 2001 and February 21, 2005 the concentrations of copper (1.17 mg/L and 0.37 mg/L) and zinc (0.88 mg/L and 0.53 mg/L) sampled in the storm water discharges exceeded the parameter benchmark values of 0.0636 mg/L and 0.117 mg/L, respectively.

The USEPA benchmark values are not numeric limitations, they are used to alert the Dischargers to take actions to identify and reduce the sources of pollutants in the discharge.

SIGNIFICANT
CHANGES:

1. The boat repair facilities are required to conduct a comparison of analytical results for storm water discharges to the Regional Water Board's benchmark values as specified in the *Storm Water Discharge Requirements*, Section III, Provisions, of the tentative Orders.
2. As a result of the infrequent discharge from the facilities, the requirements to conduct a Toxicity Reduction Evaluation if test results show violation of the *Discharge Specifications* of these Orders have been removed. However, requirements have been added to evaluate and revise Best Management Practice (BMP) conditions when test results show violation of the *Discharge Specifications*.

RECOMMENDATIONS: Adoption of the tentative Orders is recommended.